

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**MAMIE L. CAYSON, as Administratrix of the Estate
of MARY I. KNOWLES, Deceased and on Behalf
of the Wrongful Death Beneficiaries of MARY I.
KNOWLES, Deceased**

PLAINTIFF

V.

CIVIL ACTION NO.: 1:07CV2-SA-JAD

**AURORA CARES, LLC, d/b/a TARA CARES;
TUPELO NURSING & REHABILITATION
CENTER, LLC; and JOHN DOES 1-20**

DEFENDANTS

ORDER GRANTING MOTION TO DISMISS

Pursuant to an opinion issued this day, it is hereby **ORDERED** that

- (1) the Defendants' Motion to Compel Arbitration or, Alternatively, Motion to Dismiss For Lack of Subject Matter Jurisdiction [12] is **GRANTED** in part and **DENIED** in part; and
- (2) the Defendants' Motion to Deem Motion to Compel Arbitration as Granted [27] is dismissed as **MOOT**; and
- (3) the Plaintiff's Motion to Strike Defendants' Motion to Compel Arbitration as Untimely [19] is dismissed as **MOOT**; therefore,
- (4) this case is **CLOSED**.

SO ORDERED, this the 2nd day of July 2008.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE